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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/780,882 | 02/09/2001 | Jacques Benkoski | MDS-P009 | 9016 |
| 35273 | 7590 | 06/29/2006 | EXAMINER | |
| BEVER, HOFFMAN & HARMS, LLP 1432 CONCANNON BLVD BLDG G LIVERMORE, CA 94550-6006 | | | JANVIER, JEAN D | |
| | | ART UNIT | PAPER NUMBER | 3622 |

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Incomplete Response

In the correspondence mailed by the Office on 01/17/2006, the Examiner had requested that the Applicant contact the Examiner for a discussion of the claims, especially the proposed amendments made to claim 26 by the Examiner. The Examiner, in order to advance prosecution, had spent considerable amount of time reading the Application and drafting the proposed amendments to claim 26. The Applicant had ignored the Examiner's request and the proposed claim amendments and had rather decided to present a different claim amendment, which is a replica of the old claim 26 (which can be easily rejected). Although, the Applicant can refuse to accept the Examiner's proposed claim amendments, however, the Applicant must acknowledge the Examiner's effort and record the reasons for refusing the Examiner's proposed claim amendments in order to complete the file pursuant to 37 CFR 1.111. In fact, any Examiner's recorded action requires an appropriate response from the Applicant under 37 CFR 1.111. Here, the Applicant should either contact the Examiner to discuss the Examiner proposed claim amendments or provide a written response thereof. Applicant is herein given one month to respond to this correspondence.

Conclusion

Any inquiry concerning this communication from the Examiner should be directed to Jean D. Janvier, whose telephone number is (571) 272-6719. The aforementioned can normally be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached at (571) 272- 6724.

Non-Official- 571-273-6719.

Official Draft : 571-273-8300

Application/Control Number: 09/780,882
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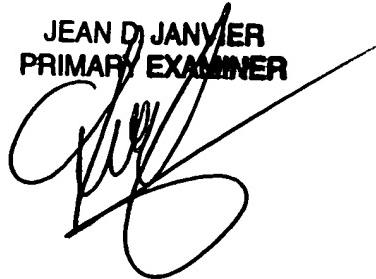
Jean D. Janvier

JDJ

Patent Examiner

Art Unit 3622

JEAN D. JANVIER
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "JDJ". Above the signature, the name "JEAN D. JANVIER" is printed in a bold, sans-serif font, with "PRIMARY EXAMINER" printed directly beneath it in a smaller, all-caps font.